

FILED

JAN 26 2023

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY OK DEPUTY CLERK

MELVIN A. PARKER^{III} #AP1330
CSP-SAC-A4-106
P.O BOX 290066
RE: PREA, CA 95671

UNITED STATE District Court,
FOR THE EASTERN DISTRICT OF CALIFORNIA.

MELVIN A. PARKER^{III}
PLAINTIFF,

(AMENDED COMPLAINT,)

J.

DEFENDANTS,
WARDEN, JEFF LYNCH, et al

CIVIL NO: 2:22-cv-02015 KJNP

INTRODUCTION

ON 11-7-22 PETITIONER Filed AN CIVIL 1983 COMPLAINT E-File
AGAINST Defendants Warden JEFF LYNCH and officers
N. West for the HIRING OF INMATE D. PUCKETT, TO COMMIT A
crime of MURDER AGAINST PETITIONER 10-3-19 WITH DEADLY
WEAPON, CAUSING GRAVE INJURIES IRREVOCABLY and Officers
M. Burke Heart, for Acting In Concert with J. Connolly,
RETAIATION against Petitioner for REPORTING Fellow Officer's
for misconducts by Committing SEXUAL ABUSE by (FOREIGN
OBJECT OR INSTRUMENT) 3401.5. AND Staff sexual misconduct, AND
ABUSE OF AUTHORITY while operating under the color of Law;
Placing Threaten Calls to PETITIONER FAMILY claiming PETITIONER
Is an (SEX OFFENDER) and Is GOING TO Die. Down Back over 2 1/2,
YEARS CONSTITUTING AN (CAMPAIGN OF HARASSMENT.)
PETITIONER, Filed FAILURE TO PROTECT WHEN MADE AWARE, WHEN

1 DEFENDANT JEFF LYNCH: WAS NOTIFIED OF STAFF MISCONDUCT
 2 CITING: DELIBERATE INDIFFERENCE; DUE PROCESS VIOLATION
 3 OF FOURTEENTH ADMENDMENT.

4 PETITIONER WAS MADE AWARE 12-27-23 OF 30 DAY NOTICE
 5 ADMEND COMPLAINT AGAINST DEFENDANTS JEFF LYNCH AND
 6 DEFENDANTS M. BURKE HEART AND J. CONNELLY WHILE THE
 7 COURTS PROCEED ACCEPTING TO PROCESS MATTERS WITH OFFICER
 8 N. WEST, WHICH PETITIONER FULLY AGREED WITH YOUR HONOR
 9 MOTION WHILE COMPLAINT IS BEING ADMENDED AGAINST SAID
 10 DEFENDANTS, et al.

11 AMEND COMPLAINT

12
 13 COUNT 1. Amend Complaint to "Deliberate Indifference,"
 14 SUPERVISOR NEGLIGENCE, failing to act when made aware of
 15 THE VIOLENT UNETHICAL PRACTICE OF (SP-SAC) OFFICERS WAS USING TO
 16 ABUSE PRISONERS IN RETALIATION FOR REPORTING OFFICERS BY FILING 60
 17 STAFF COMPLAINTS FOR USE OF UNETHICAL ("EXCESSIVE FORCE") AND OFFICE
 18 ASSISTING IN MATES TO COMMIT MURDER/ AND OTHER FORMS OF
 19 RETALIATIONS ON BEHALF OF "CDCR-OFFICERS" (PRIOR!) BEFORE THE
 20 THE ARRIVAL OF PETITIONER TO FACILITY-B ("LONG TERM RESTRICTIVE
 21 HOUSING UNIT (LTRHU) SHU PROGRAM, WHICH SUPERVISOR -
 22 OFFICIAL OFFICERS JEFF LYNCH, THE WARDEN MUST ACT WHEN NOTIFIED
 23 AND IS MADE AWARE OF HEALTH AND SAFETY RISK TO MAINTAIN
 24 THE SAFETY OF THE FACILITY FROM FUTURE RISK OF INJURYS -
 25 CITING - HARDY V. District of Columbia; 601 F. SUPP. 2d 182 (D.C.
 26 DIST. 2009) - WHICH JEFF LYNCH FAILED TO IGNORE THE VIOLENT
 27 UNETHICAL "KNOWN" PRACTICES FROM OFFICERS IN "LTRHU" THAT
 28 CREATED THE "HIGHLY VIOLENT ENVIRONMENT" AND PATTERN ATTACKS

PRISONERS "suffered irrevocable injuries" from. The Failure to Supervise Subordinates, and The Lack of Training Created the INJURIES PETITIONER SUFFERED (10-21-19) FROM BEING VIOLENTLY ATTACKED while CHAINED to a DAYROOM Chair; BY INMATE (D. PICKETT) WHOM WAS HIRED TO COMMIT MURDER UPON THE PETITIONER ON BEHALF OF (CSP-SAC OFFICER'S and OFFICER N. WEST,) WHICH THE COURTS ALLOWED SUIT AGAINST THE WARDEN FOR SUPERVISOR LIABILITY CITING (Hardy v. District of Columbia 601 F. SUPP. 2d 182 D.C. Dist. 2009) and (DELIBERATE INDIFFERENCES OF FOURTEENTH ADMENDMENT. CITING Wilson v. SEITZ; 501 U.S. 294 (1991)).

Count 2.

Defendant Jeff Lynch: Deliberate Indifferences of the 8th Admendment, TO Cruel and Unusual Punishments BLAINTLY ignoring the CONTINUED VIOLENT ACTIONS from the subordinates under his supervision that intentionally inflicted Emotional Distress and Physical Violence UPON PETITIONER while operating in concert with fellow officers thru out (CSP-SAC) placing "HITS" on PETITIONER life "TO MURDER and SEXUALLY ASSAULT ME that lead to Admissions to CRISIS BEDS from suicidal ATTEMPTS induced from the Sexual Abuse and other forms of Harassments officers inflicted upon PETITIONER. Defendant Jeff Lynch RECEIVED Countless Grievances filed Against Officers M. Burke Heart, and Officer J. Connolly; for Sexually Assaulting PETITIONER by use of (Foreign Object) and OR (Instrument) on the Body, Penetration of "The ANUS" and Touching of "The PENIS"

1 for sexual Pleasure, while operating under the color of Law as State
 2 Actors. Committing RAPE under PREA Standards which the Warden
 3 was made of by LETTERS WRITTEN to the Warden Office by Petitioner
 4 Reporting officers M. Burke Heart and Officer J. Connolly; Miscarriage
 5 Constituting 8th Amendment Violation: Cruel and Unusual Punish-
 6 ments. that was the results of Injuries to Petitioner when ATTEMPT
 7 Suicide from the Wardens inaction to Intervene. Starr v. Barr
 8 652 F.3d 1202; 1202; 1208 (9th Cir. 2011)

9 Defendant Jeff Lynch a Prisonal official, Cannot ignore a PRO-
 10 blem. Once it is brought to their attention. VANCE v. PETERS; 97
 11 F.3d 987 (7th Cir 1996) which Prison official failed to for 2 1/2)

12 Count 3.

13 PETITIONER: is AdMENDING Complaint AGAINST OFFICERS M. Burke Heart
 14 and Co Defendant Officer: J. Connolly. Filed 11-7-22; E-File
 15 Citing "CAMPAIGN OF HARASSMENTS" EXPANDING OVER 2 1/2 YEAR
 16 OF RAPE under PREA STANDARDS, and "EXTORTION" by use of Threat
 17 to PETITIONER Family by PHONE calls and Emails. Intentional Distres
 18 resulting in Grave Injuries To Petitioner From Suicidal ATTEMPTS
 19 when Officer M. Burke Heart made calls to Family of PETITIONER
 20 threaten to kill PETITIONER for claims of being a "BABY RAPIST".
 21 and SEXUALLY ASSAULTING PETITIONER 2-20-22 while in cell via
 22 COMPUTER TECHNOLOGYS-called "TOUCH REALITY" that allow office
 23 to TOUCH and ENBAge in UNETHICAL CONDUCTS via SYNTHIC MEDIA
 24 APPLICATIONS with REALITY GLASSES/or GLASSES.

25 OFFICER J. Connolly via this VIRTUAL REALITY GLASSES-was
 26 committing "VOYERISM" for Pleasure reasons; beyond of Duty
 27 2-20-22 when He made Comments to Let Him See me real
 28

1 Good while Touching Me on MY Penis and Buttocks.
 2 Committing RAPE under PREA standards.

3 PETITIONER WROTE THE Wardens Office and filed Grievances
 4 Many times (will present upon Discovery) Reporting this incident
 5 and was Denied Medical treatments and Adequate Help
 6 which allowed these Actions to Continue, Committing violation
 7 TO PETITIONER DUE PROCESS under the Fourteen Amend-
 8 ment.

9 PETITIONER began to NOTICE that upon MY arrival to each Hous-
 10 ing Unit. Officer M. Burkheart and Cornally would use this
 11 AIR-TECHNOLOGY/Touch REALITY to Communicate with
 12 Other Officers whom was Escorting Other PRISONERS and
 13 PETITIONER, using a "Low Husky WHISPER" Giving Officers
 14 Orders to SEXUALLY ASSAULT by RUBBING UP AGAINST the Buttocks,
 15 Stroking of inmates hands, and to Commit BATTERY upon
 16 PETITIONER, which PETITIONER REPORTED JUNE 21st 2022; —
 17 UNTIL PRESENT. (Letters and Cdr Grievances will be shown upon
 18 Discovery)

19 June 21st 2022: PETITIONER wrote Defendant Jeff Lynch
 20 concerning "NO RESPONSE" or Intervention Concerning the
 21 RAPE PETITIONER Continued to Suffer from Both Officers
 22 whom UP UNTIL PETITIONER Writing the Warden 6-21-2022
 23 had RAPED and Harassed PETITIONER Daily via the
 24 Computer Generated "Touch REALITY" Synthetic Technology,
 25 which caused PETITIONER TO Commit suicidal ATTEMPTS TO End
 26 the Pain by CUTTING PETITIONER THAT and OTHER BODY PARTS
 27 Leading TO Admissions to CRISIS BED and Placement into
 28 THE E.O.P Program for MENTAL HEALTH TREATMENTS.

1 From the Intentional Infliction of Emotional Distress cause
 2 From the CAMPAIGN OF HARASSMENTS in RETALIATION OF ME
 3 REPORTING BOTH OFFICERS Conduct TO THE FBI, INSPECTOR GENERAL
 4 Office; Coleman and The Superintendent, C.E.O.,
 5 Letters & GO2'S will be shown upon discovery; REPORTING
 6 THE HEALTH and SAFETY RISK M. Burke Hurt imposed upon
 7 PETITIONER life by "Telling inmates 'Melvin' is in Prison for
 8 BABY RAPING" over the AIR using the Prison Announcement
 9 P.A. System. Claiming "Melvin" is an Child molester and was
 10 His CNC2-1286 CHRONO-CENTRAL File, is AN "R"-SUFFIX For
 11 Baby RAPING. Hoping to Have Inmate Murder PETITIONER result
 12 in an Imminent Danger and Future Risk. violating Petitions
 13 toot PRIVACY LAWS and Federal PREA Standard constituting
 14 AN Eighth Amendment Violation "Cruel and Unusual"
 15 Punishments. STARR V. BALA, 652 F.3d 1202, 1202, 1202
 16 (4th Cir. 2011.) and CAMPAIGN OF HARASSMENT "Calhoun
 17 V. HARGREAVE, 312 F.3d 730 (5th Cir 2002); also
 18 Wittle V. Wisconsin Dept. of Corrections, 434 F.3d
 19 1031 (7th Cir. 2006).

Count 4

21 Defendant N. WEST, 10-31-19. Paid inmate D. Puckett to...
 22 Commit an ACT of Murder upon PETITIONER Officer;
 23 N. WEST; assist inmate D. PUCKETT by REMOVING HIS CLOTH
 24 RESTRAINTS from around the waist, and Handcuffs to be
 25 free to Commit Murder as PETITIONER sat in the Day
 26 Room. Chained to a Dayroom chair, violently attacking
 27 PETITIONER when D. Puckett Door Open. Violently/Slabbing
 28 PETITIONER with a Deadly Weapon causing injuries to

PETITIONER: Irrevocably Physically and Constitutional Rights "Cruel and Unusual Punishments" of the Eighth Amendment (BROWN V. LIPPARD: F.2d 384 (5th Cir. 2006).

THE Courts STATUS declare that all Allegations shall be Assumed Facial and TRUE. Should be only dismissed when the Defendants Present Facial showing UPON Discovery. citing KANANALICIOUS V. MORGAN Chase Bank: NA 2015 U.S. Dist. LEXIS 114322...

THE Courts: shall (GRANT) PRO SE "Motion to Amend Complaint filed UPON Defendants JEFF LYNCH: Individually and IN Official Capacity et al; DEFENDANTS: Officers: M. Burkett and Officers N. WEST and Officers J. Connolly; needing ONLY to raise a reasonable Elements" of the claim. Id. at 234; (Twombly: 550 U.S. at 556) Assuming the truth of Facts Alleged; Rule 12(b)(6) Authorizing The Court to Dismiss a Claim on basis Response. Provide Evidence at Discovery.

THE Court shall GRANT PRO SE Motion to Amend Complaint Filed 11-7-22 To Correct Cogizable Concerns as to Allegations filed. (citing Shomo V. CITY OF NEW YORK: 579 F.3d 176 (2d Cir. 2009)

PETITIONER: (DEMAND A JURY TRIAL) PUNITIVE DAMAGES of SAID Violations. 8th Amendment 14th Amendment and PHYSICAL IRREVOCABLE INJURIES and EMOTIONAL DISTRESS (\$20,000,000 Dollars) and COMPENSATION DAMAGES INDIVIDUALLY (\$100,000 \$) EACH OFFICERS (JOINTLY and SEVERALLY), and RELIEF Court DEEM JUST.

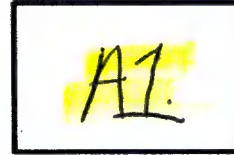
Under PENALTY OF PERJURY ALL IS TRUE and Correct.

DATED: 1-24-23

MELVIN A. PARKER III AP-1320
CSF-SAC-H4-106#
P.O. BOX 290066
REPRESENTA, CA 95671

SUBMITTED:
Melvin A. Parker # AP-1320
(SEE EXHIBITS-A18-A2)

EXHIBIT COVER PAGE



EXHIBIT

Description of this Exhibit: DECLARATION from INMATE:
(DURRELL PUCKETT #605549)

Number of pages to this Exhibit: 2 pages.

JURISDICTION: (Check only one)

- ☐ Municipal Court
- ☐ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☒ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury

Exhibits #1

Declaration A1
(Incident: 10-31-19)

I, Durrell Anthony Puckett declare as follows;

"on 10/31/19 Officers heard me engage in a intense abusive conversation with Inmate/Patient Parker (edc no: AP1330) so Prior to dayroom activity officer West had approached my cell and stated "Now or never if you want Parker," or words to that effect.

2) I, stated "for real," and West stated "Yeah he wants to file 602's will set it up," or words to that effect.

3) the camcorder will show West retaking my waist chains off than the door opening.

4) I told Lt. Williamson on 12-11-19 ^{around} ~~at~~ 6:15 p.m. but he gotten mad and walked off without writting anything down.

4) Officer J. Monroy and Sgt. C. Parham had no knowledgmet to my understanding.

I, Durrell Anthony Puckett declare under penalty of perjury that the foregoing is true and correct on December 11th, 2019 in Represa, California *DAP*

Declarant

Durrell Anthony Puckett

edc # 6-05549

D a n

I, Durrell Anthony Puckett declare that Lt. Williamson got upset when I made a statement for T/p Parker about c/o West on how staff intentionally allowed him to get victimized by me, he should not even get found guilty of a RVR 115 for defending himself.

I also want it noted that I Goated %West for him deliberately allowing a inmate to almost get killed.

%West knew of our disagreement with each other so %West stated "This is your chance," referring to T/p Parker... West and T/p Parker had previously had exchanged words so he payed me through a Greendot number to try to kill parker and ~~at~~ which I was unsuccessful. Due to T/p Parker was trying to peacefully protest his rights.

I want it noted that Lt. Williamson did not write my statement down nor ask (2) or more questions.

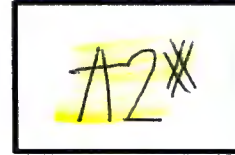
I, Durrell Anthony Puckett declare under penalty of perjury that the foregoing is true and correct on December

30th, 2019

x Dull Att Puckett

Declarant D. Puckett

EXHIBIT COVER PAGE



EXHIBIT

Description of this Exhibit: MEMORANDUMS from WARDEN
JEFF LYNCH, 12-20-22

Number of pages to this Exhibit: 2 pages.

JURISDICTION: (Check only one)

- ☐ Municipal Court
- ☐ Superior Court
- ☐ Appellate Court
- ☐ State Supreme Court
- ☒ United States District Court
- ☐ State Circuit Court
- ☐ United States Supreme Court
- ☐ Grand Jury

Exhibits A2
REPORTED RETALIATION C-

State of California

OIA Investigation/Allegation Inquiry Findings
Department of Corrections and Rehabilitation

Memorandum

Date : December 20, 2022

To : PARKER AP1330
California State Prison, Sacramento
Facility A
A 004 1-006001U

Subject: INVESTIGATION/ALLEGATION INQUIRY FINDINGS RELATIVE TO GRIEVANCE
LOG #: 211855 AND/OR ALLEGATION AGAINST STAFF TRACKING SYSTEM LOG
#: 20004615.

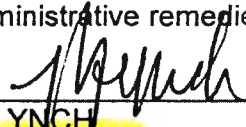
ISSUE: Inmate Parker alleged ongoing retaliation from staff involving sexual assaults by using a computer generated device. Parker alleged staff engaged in intimidation by smiling at him while saying, "cuff it up." Parker claimed staff lost evidence related to alleged murder for hire 10/31/2019.

DETERMINATION OF ISSUE: Your claim contained an allegation of staff misconduct and was either processed as an Office of Internal Affairs (OIA) Investigation, or as an Allegation Inquiry by a Locally Designated Investigator (LDI).

FINDINGS: Upon receipt and review of the Confidential Investigation Report, Allegation Inquiry, or approval from OIA for direct adverse action, the Hiring Authority determined your allegation was:

- ☒ **NOT SUSTAINED:** The investigation or inquiry failed to disclose a preponderance of evidence to prove or disprove the allegation made in the complaint.
- ☐ **UNFOUNDED:** The investigation or inquiry conclusively proved that the act(s) alleged did not occur, or the act(s) may have, or in fact, occurred but the individual employee(s) named in the complaint(s) was not involved.
- ☐ **EXONERATED:** The facts, which provided the basis for the complaint or allegation, did in fact occur; however, the investigation or inquiry revealed that the actions were justified, lawful, and proper.
- ☐ **SUSTAINED:** The investigation or inquiry disclosed a preponderance of evidence to prove the allegation(s) made in the complaint.

ALL STAFF PERSONNEL MATTERS ARE CONFIDENTIAL IN NATURE. As such, the details of any inquiry or investigation will not be shared with staff, members of the public, or any offender. Although you have the right to submit an allegation of staff misconduct, a request for administrative action regarding staff or the placement of documentation in a staff member's personnel file is beyond the scope of the staff misconduct process. Your claim was identified as an allegation of staff misconduct, meaning it was referred to an appropriate authority within the Department for the purpose of gathering facts needed to prove or disprove the allegation. The Inquiry/Investigation was completed and your administrative remedies shall be considered exhausted.


J. LYNCH
Warden


Date

REFER TO NOTICE MADE TO WARDEN OFFICIALS

6/21/22 - 6/27/22

State of California

OIA Investigation/Allegation Inquiry Findings
Department of Corrections and Rehabilitation

Memorandum

Date : December 20, 2022

To : PARKER AP1330
California State Prison, Sacramento
Facility A
A 004 1-006001U

Subject: INVESTIGATION/ALLEGATION INQUIRY FINDINGS RELATIVE TO GRIEVANCE
LOG #: 222772 AND/OR ALLEGATION AGAINST STAFF TRACKING SYSTEM LOG
#: 20008298.

ISSUE: Parker alleged Officers BURKHART and "CURLLEY" have been watching him in his housing unit while washing up, using the bathroom, and pleasuring himself.

Parker alleged staff have utilized devices can enter his cell, force themselves on him, grope him, and sodomize him. Parker alleged CSP-SAC has failed to properly investigate his claims.

Parker alleged staff are using voice technology to contact his friends and family to tell them he is in prison for raping babies. Staff have also used this voice technology to mimic his daughter's voice over the PA system saying he touched his daughter when he she was six years old.

Parker alleged Officer WEST and other staff paid Inmate Puckett to kill him in the B8 dayroom on 10/31/2019, and nothing happened, and the incident was covered up.

DETERMINATION OF ISSUE: Your claim contained an allegation of staff misconduct and was either processed as an Office of Internal Affairs (OIA) Investigation, or as an Allegation Inquiry by a Locally Designated Investigator (LDI).

FINDINGS: Upon receipt and review of the Confidential Investigation Report, Allegation Inquiry, or approval from OIA for direct adverse action, the Hiring Authority determined your allegation was:

- ☒ NOT SUSTAINED: The investigation or inquiry failed to disclose a preponderance of evidence to prove or disprove the allegation made in the complaint.
- ☐ UNFOUNDED: The investigation or inquiry conclusively proved that the act(s) alleged did not occur, or the act(s) may have, or in fact, occurred but the individual employee(s) named in the complaint(s) was not involved.
- ☐ EXONERATED: The facts, which provided the basis for the complaint or allegation, did in fact occur; however, the investigation or inquiry revealed that the actions were justified, lawful, and proper.
- ☐ SUSTAINED: The investigation or inquiry disclosed a preponderance of evidence to prove the allegation(s) made in the complaint.

PROOF OF SERVICE

(C.C.P. §§1013(a); 2015.5; 28 U.S.C. §1746)

I, MELVIN PARKER III, am over the age of eighteen (18) years, and I (am) (am not) a party to the within cause of action. My address is:

MELVIN PARKER III
(CSP-SAC) A4-106
P.O. BOX 290066
REPRESENT, CT 95671

On, JAN, 24th, 2023, I served the following documents:

MOTION TO AMEND COMPLAINT 2-22-cv-02015 SKINP
and 4 Exhibits / Declaration A1 and Memorandum
A2 dated 12-20-22

on the below named individual(s) by depositing true and correct copies thereof in the United State mail in Represa, California, with postage fully prepaid thereon, addressed as follows:

1. EASTERN DISTRICT COURT
OFFICE OF THE CLERK
501 I STREET SUITE 4200
SAC, CT 95814
2. _____

I have read the above statements and declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of JAN, 2023, at California State Prison - Sacramento, Represa, California.

(Signature) MELVIN PARKER III